



LOS ANGELES COUNTY COMMISSION ON HIV

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While not required of meeting participants, signing-in constitutes public notice of attendance. Presence at meetings is recorded solely based on sign-in sheets, and not signing-in constitutes absence for Commission members. Only members of the Commission on HIV are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.

JOINT PUBLIC POLICY (JPP) COMMITTEE MEETING MINUTES

July 21, 2010

Approved
8/18/2010

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	HIV EPI AND OAPP STAFF	COMM STAFF/CONSULTANTS
Whitney Engeran-Cordova, <i>Co-Chair</i>	Carrie Broadus	Blanca Corea	None	Jane Nachazel
Lee Kochems, <i>Co-Chair</i>	Ron Osorio	Aaron Fox		Craig Vincent-Jones
Carla Bailey	Chris Villa	Miki Jackson		Nicole Werner
Kyle Baker	Kathy Watt	Thelma James		
Jim Chud		Phil Reh		
Jeffrey Goodman		Terry Smith		
Juan Rivera		Keith Suehiro		
Stephen Simon		Jason Wise		

CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Joint Public Policy (JPP) Committee Agenda, 7/21/2010
- 2) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 2/17/2010
- 3) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 3/17/2010
- 4) **Minutes:** Joint Public Policy (JPP) Committee Meeting Minutes, 5/19/2010
- 5) **Brief:** CHIPTS/APLA Policy Brief, What Enhanced Surveillance Could Mean for California, 6/24/2010
- 6) **Brief:** Policy Brief #8, National HIV/AIDS Strategy (NHAS) Community Discussions, 10/9/2009
- 7) **Strategy:** National HIV/AIDS Strategy, Federal Implementation Plan, 7/2010
- 8) **Strategy:** National HIV/AIDS Strategy for the United States, 7/2010
- 9) **Brief:** Health Care Reform Brief #1, Health Care Reform: Coverage for the Uninsured, 6/25/2010
- 10) **Outline:** Los Angeles Commission on HIV, Comprehensive Training Program, Committee Handbook, 7/21/2010
- 11) **Table:** Joint Public Policy (JPP) Committee FY 2010 Work Plan, 7/21/2010

1. **CALL TO ORDER:** Mr. Engeran-Cordova called the meeting to order at 2:05 pm.
2. **APPROVAL OF AGENDA:**
MOTION #1: Approve the Agenda Order with Item 13 postponed (***Passed by Consensus***).
3. **APPROVAL OF MEETING MINUTES:**
MOTION #2: Approve the 2/17/2010, 3/17/2010 and 5/19/2010 Joint Public Policy (JPP) Committee Meeting Minutes, as presented (***Passed by Consensus***).
4. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.
5. **COMMITTEE COMMENT, NON-AGENDIZED:** There were no comments.
6. **CO-CHAIRS' REPORT:** There was no report.

7. **STATE BUDGET FY 2010-2011:**

- A. **Current Status:** Mr. Vincent-Jones reported there are closed-door negotiations with a goal to release a budget by the first week of August that would be signed by the Governor.
- B. **AIDS Drugs Assistance Program (ADAP):**
- There has been no change in this State Budget item to date.
 - Mr. Engeran-Cordova noted the Federal Health and Human Services (HHS) Department has designated \$25 million for ADAP relief. California is not expected to receive any of the funds as the focus is on states with an ADAP waiting list.
 - He added AHF held simultaneous protests for increased ADAP funds in San Francisco at Senator Nancy Pelosi's office and in Des Moines, Iowa at Senator Tom Harkin's office, Chair of Health and its applicable Appropriations Subcommittee. There was also a thank you rally at the Federal building in Ft. Lauderdale, Florida, to thank Senators Richard Burr, Tom Coburn, and Representative Debbie Wasserman-Schultz for their support of SB 3401. Actions are planned for all states by September with ADAP waiting lists.
 - Mr. Engeran-Cordova felt it prudent to articulate risks to the some \$500 million California system if the Budget is late or items are blue-penciled. Talking points could help people raise California issues nationally and inform its 54 members of Congress.
 - Mr. Baker said he had heard Michelle Roland, MD, Chief, Office of AIDS (OA), recently described California's ADAP in Washington, D.C., as in great shape. That is an advocacy problem for this linchpin of care, e.g., a National Alliance of State and Territorial AIDS Directors (NASTAD) press release today touted California ADAP investment.
 - Mr. Fox felt it important to contextualize ADAP within the larger budget picture including last year's cuts.
 - ➡ Mr. Engeran-Cordova will draft and email talking points to JPP. Comments on it can be emailed to Mr. Vincent-Jones.
- C. **Strategy for Budget 2011:**
- Mr. Engeran-Cordova noted various issues have been raised which could be discussed prior to a budget.
 - ➡ The Budget Strategy Work Group will initiate meetings. Members are: Mr. Baker, Julie Cross, Mr. Engeran-Cordova, Mr. Fox, Mr. Goodman, Mr. Kochems, Mr. Simon and Mr. Vincent-Jones.
- D. **Surveillance:** The Budget Strategy Work Group will address this issue.
- E. **Other Proposed Budget Actions:** The Budget Strategy Work Group will address this issue.

8. **STATE BUDGET FY 2011-2012:** There was no additional Budget discussion.

9. **NATIONAL HIV/AIDS STRATEGY:**

- A. **Feedback:**
- Mr. Engeran-Cordova noted the Strategy and Implementation Plan announced the prior week were in the packet. Mario Pérez, Director, Office of AIDS Programs and Policy (OAPP) and member of the Presidential Advisory Council on HIV/AIDS (PACHA), will report on the subject at the August Commission meeting.
 - He added HHS Secretary Kathleen Sebelius comments indicate she sees the Strategy as a bridge to Health Care Reform.
- B. **Response Strategy:**
- Mr. Engeran-Cordova suggested working with other groups to map implementation. Mr. Chud noted the National AIDS Housing Coalition is mapping housing issues to inform advocacy on upcoming Housing Opportunities For Persons With AIDS (HOPWA) reauthorization in 2014.
 - Mr. Goodman said the Strategy assumes prompt Health Care Reform implementation of Early Treatment for HIV Act (ETHA) by 2014. He is working with others to address local concerns regarding consequences of delays in different areas.
 - ➡ Investigate what other groups are doing to map aspects of the Strategy and Health Care Reform implementation with a view to possible collaboration on advocacy similar to that done for Ryan White Reauthorization. Include local PACHA members in discussion and check on pertinent Center for HIV Identification, Prevention and Treatment Services (CHIPTS) literature review. Report back at next meeting.

10. POLICY AND PROGRAM/PLANNING BRIEFS:

A. Health Care Reform Brief #1: Underinsured:

- Mr. Engeran-Cordova felt elected Commissioners should vote on documents that state a policy position. There is a separate question about the level of vetting needed for informational documents that, nevertheless, may present interpretations on various subjects or state opinions which might impact the County or the Commission.
- Mr. Goodman felt review was important for all briefs to ensure completeness. Mr. Vincent-Jones noted this brief is seen as one of a series of briefs. The next will be on Medi-Cal.
- Mr. Vincent-Jones agreed to a small, interested group reviewing a brief, but felt it not feasible to write it with, e.g., a committee. He added brief policy positions reflect existing Commission policy and its development. Briefs are essentially educational. They are usually topical and need to be developed quickly to meet current information needs.
- Briefs on program/planning news are less topical and reviewed by pertinent committees, e.g., that on Oral Health.
- Mr. Kochems noted committees do discuss briefs during development. Using the Ryan White Reauthorization process as a template would be a problem as it was too lengthy to get topical information distributed quickly.
- Mr. Engeran-Cordova felt the distinction between policy and information can be murky, e.g., referencing "...two primary systemic barriers that keep PWH/A uninsured" is a judgment on primary barriers and that there are just two.
- Mr. Vincent-Jones noted all documents express some judgment. Experts such as Ms. Cross have been used in their development.
- Mr. Kochems suggested adding a paragraph that identifies a brief as either Commission policy or as strictly educational.
- Mr. Simon felt briefs have been concise, accurate and informational. A small group might review them, but it is key for the process to remain nimble so briefs are not unduly delayed and become irrelevant.
- Mr. Vincent-Jones agreed to draft a policy to identify documents needing committee review, but cautioned sometimes a quick turnaround is needed such as with the first State budget document which had a significant effect on negotiations.
- Mr. Baker noted he has helped develop briefs with fast turnarounds, but a vetting process is viable. Mr. Engeran-Cordova said the informal approach is based on relationships. A formal process will ensure a good process in future.
- Several noted briefs are very helpful both directly for consumers and for case managers to assist clients.
- ➡ A Policy/Procedure for briefs will be added to the list of those being developed by the Operations Committee. It will include an expedited process for time-sensitive subjects. A draft will be brought back to JPP for review
- ➡ Mr. Vincent-Jones will dialogue with Mr. Goodman on the Health Care Reform Brief. The Committee agreed to distribution of that brief subsequent to Mr. Goodman's input.

B. Possible Naturalization Solutions for PLWH/A:

- The immigration brief will be vetted by a top Southern California immigration attorney. It is a program/planning brief to educate people on available naturalization services. All information is publicly available, legally factual and reflects routine processes. Much like the Oral Health brief, however, clients who most need the information often lack it.
- Mr. Engeran-Cordova noted some subjects are inherently political, e.g., immigration is incendiary. Commissioners should weigh in when the Commission name is on something that may cause a problem or pertain to County policy. Mr. Baker agreed and noted the immigration attorney is not part of the Commission.
- ➡ Mr. Vincent-Jones said that he hoped to draft the immigration brief in the next month. Ms. Bailey, Mr. Baker, Mr. Chud and Mr. Fox will review it with Mr. Vincent-Jones after immigration attorney Judith Marty completes review. It will then come back to JPP.

11. MEDICAID/MEDICARE:

A. State 1115 Medicaid Waiver:

- The due date for the waiver is September 1st.
- ➡ Medi-Cal/Medicaid Subcommittee to meet: Mr. Baker, Mr. Chud, Mr. Engeran-Cordova, Mr. Fox, Mr. Goodman, Mr. Simon and Mr. Vincent-Jones.

B. Migration to Medi-Cal Managed Care: Discussed under 11C.

C. HIV Standards of Care Commitments from Other Health Plans:

- Mr. Vincent-Jones said this is a key issue regarding migration to Medi-Cal managed care. Other managed care programs now have no obligation to meet minimum expectations of HIV Standards of Care for clients who migrate to them.
- Mr. Engeran-Cordova said the State Insurance Commissioner could impose HIV Standards of Care by regulation.
- Mr. Vincent-Jones said other approaches include legislation and negotiating individually with managed care plans.
- ➡ Refer subject to Medi-Cal/Medicaid Subcommittee.

12. HEALTH CARE REFORM:

A. Policy Brief Series: There was no additional discussion.

B. Collaborative Strategy:

- Mr. Baker said OAPP has formed a group of senior managers to address how care delivery will change, e.g., the effect of clients moving to managed care. Such changes are also likely to affect Commission priorities, so collaboration is key.
- Mr. Vincent-Jones proposed a Health Care Reform Task Force and that this group should do the bulk of work.
- ➡ Agreed to determine if Health Care Reform Task Force is needed after the Medi-Cal/Medicaid Subcommittee meets.

13. POLICIES AND PROCEDURES: This item was postponed.

14. JPP COMMITTEE WORK PLAN:

A. Committee Work Plan:

- Mr. Vincent-Jones said the Executive Committee wants to complete the FY 2010 Work Plan this month.
- He added committee handbooks are being prepared to orient Commissioners to the work of each committee as part of Comprehensive Training Plan. The JPP Handbook outline was in the packet and reflects the work plan.
- ➡ Consensus to delegate JPP Co-Chairs to complete JPP Work Plan and forward to Mr. Vincent-Jones within the next week.

B. Public Policy Priorities FY 2010-2011 Meeting:

- Priorities are usually formalized in the first quarter, but input has been provided and formalization is now moot.
- ➡ Consensus to defer next priorities meeting until after Co-Chair elections in November.

15. PENDING LEGISLATION: There was no additional discussion.

16. PREVENTION:

- Mr. Engeran-Cordova noted valuable discussions at the XVIII International AIDS Conference on, e.g., new technologies. Mr. Baker said the CDC reported on poverty as a driver of infections which, while not new, indicates its focus going forward.
- Mr. Baker said OA determined its distribution of test kit funds last week. Previously the County received about \$527,000 worth of test kits, or about 43% of them reflecting the jurisdiction's burden, in test kits as well as a small amount of control and training. He reported that the County will now receive \$138,000, about 17%, though it identified 2,000 PWH last year. San Francisco, which identified 600 PLH, will receive the same. OA justified the cuts because both receive direct CDC funding, although the County's CDC grant has been cut one-third over eight years.
- In addition, the cost of purchasing test kits is directly related to the volume purchased, so lower volume costs equal more per kit.
- OA methodology used the SAM formula and cut the result by 50%. Seventeen jurisdictions are funded.
- OA received the same CDC funding, so either it is being redistributed to lower burden areas or shifted to other purposes. A large increase in test kit funds to unprepared jurisdictions may result in waste due to lack of capacity.
- ➡ Agreed to raise the subject at the August Commission meeting.

17. HIV/STD CONTROL IN THE ADULT FILM INDUSTRY:

- Mr. Engeran-Cordova reported Cal/OSHA held a hearing with about 150 attendees on condom regulation in the Adult Film Industry. It was made clear that regulations will be enforced. Two subcommittees were formed including one to grade sex act risk.

- Two actors are suing the Adult Industry Medical (AIM) Foundation with AHF support for HIPAA violations and harassment. The US Office of Civil Rights is also investigating AIM for HIPAA violations and Florida is investigating AIM on sanitary nuisance violations as there is no Florida equivalent to Cal/OSHA.
- Film LA, which permits film production, has safety requirements. Permits are needed for insurance. AHF is investigating how enforcement might be accomplished through permits and paid for with permit fees.
- AHF has purchased space on www.AVN.com, an industry news site, to post a letter to the adult film community encouraging discussion on implementation. www.Xbus.com has refused the purchase, but AHF is countering on the basis of free speech.

18. CALIFORNIA CENTER FOR HIV/AIDS POLICY RESEARCH:

- Mr. Fox reported consensus at last month's meeting that the Legislature and Administration would most appreciate surveillance research especially on surveillance yield in Ryan White funds. A UCLA brief was in the packet.
- The Southern Policy Center has contracted for policy briefs on optimal surveillance systems and on ADAP for advocates.
- Several noted Dr. Roland's various statements regarding a mature system and CDC certification are contradictory. Certified states are treated differently than those not certified in qualifying data used for the Ryan White grant formula.
- Mr. Vincent-Jones suggested three research questions:
 1. What additional resources are needed for California to have a fully mature system by the CDC deadline of 2012?
 2. Can Los Angeles County be certified by CDC separately from the State?
 3. When is it necessary to start the CDC certification process?
- Mr. Vincent-Jones noted Northern California is researching the migration of Medi-Cal to managed care.
- ➡ Mr. Fox will provide a list of questions being considered for the next meeting.

19. CORRECTIONS: This item was postponed.

20. FEDERAL ISSUES: There was no additional discussion.

21. WORK PLAN: There was no additional discussion.

22. ANNOUNCEMENTS: Carol Kim has left her position as District #3 Health Deputy for a position at Health Net. Ron Hansen is acting as the temporary.

23. ADJOURNMENT: The meeting adjourned at 5:10 pm.